

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: To Be Assigned

Art Unit: To Be Assigned

Re: Application of:

Joseph C. DINARDO et al.

Serial No.:

To Be Assigned

Filed:

Herewith

For:

**METHOD AND PREPARATION FOR
REDUCING SUNBURN CELL FORMATION IN
SKIN**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 14, 2004

Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicant hereby makes of record the documents listed on the accompanying PTO-1449 Form (1 page) for consideration by the Examiner in connection with the examination of the above-identified patent application. While the references are being submitted herewith, some or all of the references may not constitute prior art under the U.S. patent laws.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97 (b), before the mailing date of a First Office Action, therefore no fee is believed due. In the event any additional fee is due in connection with this response or if any fee has been overpaid, the deficiency or overpayment should be charged to our Deposit Account No. 50-0552.

5031.1001

It is respectfully requested that the references cited in the accompanying PTO-1449 form be considered and made of record. It is respectfully submitted that the pending claims are patentable over all of the references made of record at this time.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 

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FORM PTO-1449 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: 5031.1001		SERIAL NO.: not yet assigned	
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)				APPLICANT(S): Joseph C. DINARDO et al.			
				FILING DATE: herewith		GROUP : not yet assigned	

U.S. PATENT DOCUMENTS													
*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCL ASS	FILING DATE IF APPROPRIATE
	AA	5	9	1	6	9	2	5	Jun. 29, 99	Higuchi et al.	514	678	
	AB	5	0	5	9	6	2	7	Oct. 22, 91	Goto et al.	514	688	
	AC	4	4	3	6	7	5	3	Mar. 13, 84	Imada et al.	424	331	
	AD	4	2	4	8	8	6	1	Feb. 3, 81	Schutt	424	60	
	AE	4	1	4	4	3	2	5	Mar. 13, 79	Voyt	424	59	
	AF	6	1	3	2	7	3	7	Oct. 17, 2000	Wolf et al.	424	401	
	AG	5	2	4	3	0	6	4	Sep. 7, 93	Sabatelli	560	51	

FOREIGN PATENT DOCUMENTS															
		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION		
													YES	NO	
	AH	0	7	8	8	7	9	3	Aug. 8, 97	EP - Europe				in English	
	AI	9	9	0	7	3	5	5	Feb. 18, 99	WO - WIPO				Abstract; discussed in specification	
	AJ	3	0	4	9	0	3	9	Mar. 13, 84	DE - Germany				corresponds to US 4,436,753	
	AK	9	4	2	0	0	6	8	Sep. 15, 94	WO - WIPO				in English	
	AL	0	1	0	3	6	5	7	Jan. 18, 01	WO-WIPO				Abstract; corresponds to Pending Application No. 10/030,842	

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)	
AM	Schaffler et al. "Dose-effect Relationship of Idebenone in an Experimental Cerebral Deficit Model" 1998, pp. 720 - 726, in <i>Arzneim.-Forsch. / Drug. Res. Nr. 7</i>
AN	Schuetz et al. "Suppression of Leukocyte-Enhanced Cold Ischemia/Reperfusion Injury of Liver Endothelium with the Benzoquinone Antioxidant Idebenone" Dec., 1997, pp. 619-624, in <i>Clinical Biochemistry</i> , Vol. 30.
AO	Wieland et al. "Lipid hydroperoxide determination in serum by HPLC and iodometry" 1992, pp. 62-63, in <i>Fresenius J. Anal Chem</i>
AP	Michiels et al. "Cytotoxicity of linoleic acid peroxide, malondialdehyde and 4-hydroxynonenal towards human fibroblasts" 1991, pp. 225-234, in <i>Toxicology</i>
AR	Deflandre et al. "Photostability assessment of sunscreens. Benzylidene camphor and dibenzoylmethane derivatives" 1988, pp. 53-62, in <i>International Journal of Cosmetic Science</i>
AS	Yoshiki Miyachi "Skin diseases associated with oxidative injury" in Chapter 16 of "Oxidative Stress in Dermatology" 1993, pp. 323-331

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA						
	BB						
	BC						
	BD						
	BE						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	BF	0	1	2	7	9	8	18	Nov. 10, 89	JP - Japan			Abstract; discussed in specification	
	BG	1	1	1	1	6	4	70	Apr. 27, 99	JP - Japan			X	
	BH	4	0	9	9	7	1	9	Mar. 31, 92	JP - Japan			Abstract	
	BI													
	BJ													
	BK													

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	BL	Thiele et al. " Depelction of Human Stratum Corneum Vitamin E: An Early and Sensitive In Vivo Marker of Induced Photo-Oxidation" 1998, pp. 756-761, in "The Journal of Investigative Dermatology"
	BM	Barkworth et al. "An Early Phase I Study to Determine th Tolerance, Safety and Pharmacokinetics of Idebone Following Multiple Oral Doses" 1985, pp. 1704-1707, in <i>Arzneim.-Forsch./Drug Res.</i> 1985
	BN	Voelckel et al. " Vorkommen und Phot-Isomerisierung der Urocansaeure im stratum corneum bei polymorpher Lichtdermatose (PLD). Vergleichende Untersuchung bei PLD-Patienten und Hautgesunden" 1989, pp. 1-15, in <i>Zentralblatt Haut- und Geschlechtskrankheiten</i> " (see application text for English description)
	BO	Kaidbey et al. "Topical Glycolic Acid enhances Photodamage by Ultraviolet Light" Feb. 2003, 19(1), pp. 21-27, in <i>Photodermatology, Photoimmunology & Photomedicin</i>
	BP	Neudecker et al., Pending Application No. 10/030,842, entitled "Topically Applied Idebenone-Containing Agent with Protective and Regenerative Effect", filed January 9, 2002; Attorney Docket No. 5006.1001
	BR	
	BS	
	BT	

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